

REMARKS

The corrected sole figure of the drawings is resubmitted herewith as page 2, headed by the label REPLACEMENT SHEET.

By the foregoing Amendment claims 8, 9, and 15 have been canceled. Claim 1 has been amended to incorporate the limitation of canceled claim 8 and to remove the phrase "to prevent the common sharp edge from cutting deeply into human flesh" objected to by the Examiner. Claim 12 has been amended to also remove the objectionable phrase and further to incorporate the subject matter of canceled claim 15. Amended claim 12 now corresponds to allowable claim 15, rewritten in independent form which the Examiner deems allowable. Allowance of amended claim 12 and its dependent claims 13, 14, and 16 is therefore appropriate and is respectfully solicited.

Claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Bernard in view of Holler. Bernard discloses a "slicer" type kitchen knife "for carving meats or cutting bread" (specification, column 2, line 2). The blade of the Bernard knife seen in Fig. 3 is "hollow ground" to impart a concavity to the blade sides that is so shallow as to be barely perceptible in the drawing. Hollow grinding of knife blades is a common practice designed to reduce blade weight without sacrificing rigidity. Also, frictional drag on the blade sides is reduced when slicing through thick slabs of meat. The Examiner acknowledges that concave blade sides, such as side sections 24 in Barnard, are capable of limiting blade cutting depth if the blade is swung like a sword at an object (Office Action, page 3). But that is not how the Bernard knife is to be used. It is a carving knife that is reciprocated back and forth to progressively cut through a thick

piece of meat, such as a roast. Applicant's saber is a weapon to be swung like a sword at a miscreant to effect submission.

Holler discloses a cutting tool and is relied upon in the rejection of claim 1 for the disclosures of a guard and, along with Guerra, various features recited in the claims depending from claim 1. However, Applicant notes that neither Bernard nor Holler disclose a blade having a convex third side, as recited in dependent claim 6. As described in the specification, the convex side of the blade may be used to batter a miscreant, rather than slash with the sharp edge.

Claim 1 defines the first and second concave sides as having "deep concavities". The concave sides 20 in Fig. 3 and the concave sides of cutting sections 28, 30 in Fig. 2 of Bernard all have shallow concavities. Were they to have deep concavities, the Bernard knife could not accomplish its intended purpose of easily slicing completely through thick slabs of meat. The deep concavities of the concave sides of Applicant's saber are certainly more "capable upon swinging insertion" of stopping "forward progress of the blade" (Office Action, page 3) than the shallow concave blade sides 24 of Bernard. "Deep" is a relative term, but in relation to Bernard's blade sides, the concavities of Applicant's blade sides are distinctively deep.

Claim 1 has been amended to include the limitation of canceled claim 8, to wit, the blade is "at least 20 inches in length." In his rejection of claim 8, the Examiner further relies on the "Cobra Twin" sword (27 $\frac{1}{4}$ " long) illustration in the Bud K Catalog. Applicant submits that it would not be obvious to one skilled in the art to provide the Bernard knife with a blade at least 20 inches long. Bernard's disclosure is a carving knife. Who would want a carving knife with a 20-inch blade? It would be extremely

awkward and unwieldy to use for carving meat or slicing bread. Moreover, it would be too long to fit in a kitchen drawer.

Applicant submits that amended claim 1 patentably distinguishes over the Examiner's combination of the Bernard, Holler, and Bud K Catalog references and should be allowed along with its dependent claims 2 through 7, 10, and 11. Favorable reconsideration and allowance of this application are respectfully solicited.

Respectfully submitted,



Robert A. Cahill, Reg. No. 20557
43273 Hill Head Place
Leesburg, VA 20176
(Phone: 703-771-8084)

DATE: May 4, 2006